

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PATRICK G. ZBUKA, SR.,)	CASE NO. 5:08-cv-1505
)	
Plaintiff,)	
)	MAGISTRATE JUDGE VECCHIARELLI
v.)	
)	
MARATHON ASHLAND PETROLEUM)	
LLC, et al.,)	
)	ORDER
Defendants.)	DOC. NO. 23
)	

This case is before the magistrate judge on consent of the parties. Before the court is the motion of defendant United Steelworkers Union Local 1-450 ("the union") to strike the surreply of plaintiff, Patrick G. Zbuka, Sr. ("Zbuka"). Doc. No. 23. As the court's memorandum and opinion issued this day dismisses Zbuka's complaint with prejudice, the union's motion is moot. It is, therefore, dismissed.

IT IS SO ORDERED.

Dated: October 22, 2008

/s/ Nancy A. Vecchiarelli
Nancy A. Vecchiarelli
United States Magistrate Judge